

STATE OF GEORGIA
COUNTY OF FULTON

**TO REZONE TO A-L (APARTMENT-LIMITED DWELLING DISTRICT) TO ALLOW A
SENIOR LIVING FACILITY, PROPERTY LOCATED AT NORTHEAST CORNER OF
SPALDING DRIVE AND RIVER EXCHANGE DRIVE**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on December 4, 2012 at 6:00 p.m. as follows:

SECTION 1. That the Zoning Ordinance of the City of Sandy Springs be amended, and the official maps established in connection therewith be changed so that the following property located at the northeast corner of Spalding Drive and River Exchange Drive, consisting of a total of approximately 4.10 acres, be changed from C-1 (Community Business District) conditional to A-L (Apartment-Limited Dwelling District) conditional to allow a Senior Living Facility, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lots 313 of the 6th District, Fulton County, Georgia by the attached legal description; and

SECTION 2. That the variance(s), as listed in the attached conditions of approval, be approved under the provisions of Section 22.9 of the Zoning Ordinance of the City of Sandy Springs; and

SECTION 3. That the property shall be developed in compliance with the conditions of approval, as attached to this ordinance. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations; and

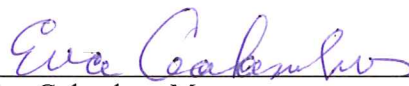
SECTION 4. That the official maps referred to, on file in the Office of the City Clerk, be changed to conform with the terms of this ordinance; and

SECTION 5. That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

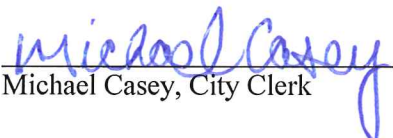
SECTION 6. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

APPROVED AND ADOPTED this the 4th day of December, 2012.

Approved:


Eva Galambos, Mayor

Attest:


Michael Casey, City Clerk

(Seal)



CONDITIONS OF APPROVAL

RZ12-009/CV12-011
Northeast corner of Spalding Drive and River Exchange Drive
(06-0313- LL-034)

Please be advised, the City of Sandy Springs Mayor and City Council approved the rezoning of property owned by Dunwoody Place Venture, LLC, located at the northeast corner of Spalding Drive and River Exchange Drive (06-0313- LL-034). Rezoning petition RZ12-009/CV12-011 was approved to rezone from C-1 (Community Business District) conditional to A-L (Apartment-Limited Dwelling District) conditional to allow a Senior Living Facility by the Mayor and City Council at the December 4, 2012 hearing, subject to the following conditions:

1. To the owner's agreement to abide by the following:
 - a. Senior housing and associated accessory uses at a density of 31.71 units per acre or 130 units, whichever is less.
2.
 - a. To the site plans received by the Department of Community Development on August 28, 2012 Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
 - a. To reduce the required off-street parking for a Residential Senior Housing from one hundred sixty-three (163) spaces to one hundred ten (110) spaces (CV12-011).
 - b. To allow parking within the required front yard setback. (CV12-011).
 - c. To reduce the required 40 foot front landscape strip to 22 feet. (CV12-011).
 - d. The owner/developer shall dedicate thirty (30) feet of right-of-way from centerline of River Exchange Drive along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.